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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,457	04/30/2001	Jonathan C. Salas	MOON-P008	3019
38396	7590	06/06/2005	EXAMINER	
JOHN BRUCKNER, P.C. 5708 BACK BAY LANE AUSTIN, TX 78739			SIDDIQI, MOHAMMAD A	
			ART UNIT	PAPER NUMBER

2154

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/845,457

Applicant(s)

SALAS ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-19 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Rabin et al. (6,697,948) (hereinafter Rabin).

4. As per claim 1, Rabin discloses An apparatus comprising:

a client coupled to a plurality of resources and computing tasks on servers located on a network (101,102,103, fig 1, col 26, lines 22-26, network interconnects user devices with servers); and

a system to control client access to said plurality of resources and computing tasks on servers (col 26, lines 26-32, supervise usage of information by user devices), the system including

a database to store (108, fig 1, col 49, lines 65-67 and col 50, lines 1-12) a policy criteria associated with a user (col 49, lines 45-67 and col 50, lines 1-12, the tag information distributed to users);

a license (col 59, lines 39-41) manager to generate token (supervising usage of software by issuing tags, col 3, lines 47-54) according to an allocated access session (an instance and usage, col 5, lines 9-28) based on said policy criteria associated with the user (col 5, lines 9-28); and

a server based token monitor (verification program, col 5, lines 9-28) to initiate and terminate access of server resources (703, fig 15, col 4, lines 57-65, allow access to shared software data files) and server computing task according to said token (verification program examines tags, col 5, lines 9-28).

5. As per claim 11, Rabin discloses a method for managing user access to server resources and/or server computing tasks on a distributed computing system network comprising:

creating one or more server resource and/or server computing tasks access sessions (col 5, lines 35-51) by a system administrator (col 3, lines 29-65),

wherein said one or more server resource and/or server computing tasks access sessions are assigned to a specific user and stored on a database (col 49, lines 45-67 and col 50, lines 1-2),

verifying (col 5, lines 9-28) a user resource request (col 5, lines 35-51) from the specific user against associated assigned server resource (col 4, lines 57-65, shared data files ) and/or server computing tasks access sessions by a license manager (col 5, lines 9-28), and

generating a token corresponding (supervising usage of software by issuing tags, col 3, lines 47-54) to said server resource and/or server computing tasks access sessions for the specific user by said license manager (col 59, lines 39-41), wherein the token enables through a server based token manager (102, fig 1, tag server) the specific user to initiate access of server resources (col 5, lines 9-28) and/or server computing tasks as well as terminate access of server resource and/or server computing tasks on the distributed computing system network (703, fig 15, col 4, lines 57-65 , allow access to shared software data files).

6. As per claim 2, Rabin discloses the allocated access session is based on said policy criteria associated with said plurality of resource (policy is associated with software, col 5, lines 9-28).

7. As per claim 3, Rabin discloses the policy criteria includes a combination of different policy criterion (col 5, lines 65-67 and col 6, lines 1-7).

8. As per claim 4, Rabin discloses said allocated access session is associated with the user (col 5, lines 36-53).

9. As per claim 5, Rabin discloses the token monitor (verification program, col 5, lines 9-28) includes a criteria evaluator that notifies the token monitor if said criteria is triggered (col 5, lines 9-28 and col 47, lines 43-45).

10. As per claim 6, Rabin discloses the criteria evaluator includes a calendar and said criterion triggered (col 47, lines 38-61) is a specific period including at least one member selected from the group consisting of a certain day of a week (fig 6), a certain day of a month (fig 6), a certain

month (fig 6), a certain week, or a certain number of days (fig 6, col 42, lines 1-12).

11. As per claim 7 Rabin discloses the criteria evaluator includes a counter and said criterion triggered includes at least one number selected from the group consisting of a number of user access, a number of files produced, a number of files opened, a number of files saved, and a number of pages printed (fig 14-15, col 61, lines 1-45).

12. As per claim 8, Rabin discloses the criteria evaluator includes a timer and said criterion triggered includes at least one time selected from the group consisting of a time of day, a time interval in a day, and a specific time on a specific day (fig 6, col 42, lines 1-12).

13. As per claims 9 and 14, Rabin discloses a secondary access database (fig 1,2) that provides for token creation when initial allocated access sessions are depleted (col 59, lines 39-41).

14. As per claim 10, Rabin discloses a notification component to alert the user when initial allocated access sessions reach a pre-selected level (license and renew, col 59, lines 39-41).

15. As per claim 12, Rabin discloses the creation of resource access sessions is based on user licensing criteria (call-up, col 59, lines 39-41).

16. As per claim 13, Rabin discloses the creation of resource access sessions is based on application licensing criteria (license, col 59, and lines 39-41).

17. As per claim 15, Rabin discloses the token generated enables resource access for a segment of the whole resource access session (renew, col 59, lines 39-41).

18. As per claim 16, Rabin discloses generating a new token when access for said segment is depleted and additional access remains in the whole resource access session (license and renew, col 59, lines 39-56)

19. As per claim 17, Rabin discloses notifying the specific user (col 54, lines 12-18) when initial resource access sessions reaches a pre-selected level (one year period has expired, col 59, lines 39-56); and  
renewing by the specific user said initial resource access sessions (license and renew, col 59, lines 39-41).



18. As per claim 18, Rabin discloses the specific user utilizes a secondary access sessions.

19. As per claim 19, Rabin discloses monitoring a license criterion of said token (license, col 59, lines 39-41 and col 5, lines 9-28); and terminating user access when said license criterion is triggered (license, col 59, lines 39-41 and col 5, lines 9-28).

### ***Response to Arguments***

20. Applicant's arguments filed 03/03/2005 have been fully considered but they are not persuasive, therefore rejections to claims 1-19 is maintained.

21. In response to applicant's argument " Rabin does not disclose server base computing", examiner respectfully disagrees. Rabin discloses server based computing (108, 103, fig 1, col 26, lines 19-32, interconnecting with user devices, supervise usage of information, generating tags and distributing are server based computing).

***Conclusion***

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 6,718,328 teaches control and secured access to network resources by token validation.

U.S. Patent 6,463,457

U.S. Patent 6,687,735

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS



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